

**THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS**

Before Commissioners: Mark Sievers, Chairman  
Ward Loyd  
Thomas E. Wright

In the Matter of Westar Energy, Inc. and )  
Kansas Gas and Electric Company Seeking )  
Commission Approval to Implement ) Docket No. 12-WSEE-652-TAR  
Changes in Their Transmission Delivery )  
Charges Rate Schedules. )

**ORDER GRANTING MOTION FOR LEAVE TO APPEAR *PRO HAC VICE* OF  
PHILLIP OLDHAM AND TAMMY COOPER**

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having reviewed the files and records, and being duly advised in the premises, the Commission makes the following findings:

1. On February 24, 2012, Westar Energy, Inc. filed a request for Commission approval of modifications to its Renewable Energy Program Rider. The modification adds a Sustainability Program Option for large commercial or industrial customers.

2. On April 24, 2012, Teresa J. James and Stanford J. Smith, Jr., attorneys in good standing and licensed to practice law in the State of Kansas, filed a Motion for Leave to Appear *Pro Hac Vice* of Phillip Oldham and Tammy Cooper as attorneys for Occidental Chemical Corporation. The Motion was accompanied by Applications for Admission *Pro Hac Vice*. The Motion and Applications, filed pursuant to Kansas Supreme Court Rule 116, state that Phillip Oldham and Tammy Cooper are licensed attorneys in good standing in Texas, have never been suspended or disbarred in any jurisdiction, and are not currently the subject of any disciplinary actions or proceedings. Teresa J. James and Stanford J. Smith, Jr., of Martin, Pringle, Oliver, Wallace & Bauer, L.L.P. will act as local counsel on their behalf.

3. Kansas Supreme Court Rule 116, Admission for Pro Hac Vice of Out-of-State

Attorney, states:

Any attorney not admitted to the practice of law in Kansas but who is regularly engaged in the practice of law in another state...and who is in good standing pursuant to the rules of the highest appellate court in that jurisdiction, may on motion be admitted to practice law in the courts or any administrative tribunal of this state for the purposes of a particular case only, upon showing that he or she has associated with an attorney of record in the case who is regularly engaged in the practice of law in Kansas and who is in good standing under all of the applicable rules of the Kansas Supreme Court. The Kansas attorney of record shall be actively engaged in the conduct of the case; shall sign all pleadings, documents, and briefs; and shall be present throughout all court or administrative appearances. Service may be had upon the associated Kansas attorney in all matters connected with the case with the same effect as if personally made on the out-of-state attorney within this state. Rule 116(a), 2010 Kan. Ct. R. Annot. 202.

4. The Commission finds that the requirements of Rule 116 have been met for admission pro hac vice. The Motion for Leave to Appear *Pro Hac Vice* of Phillip Oldham and Tammy Cooper is granted. These attorneys will be added to the service list using the contact information as follows:

Phillip Oldham  
ANDREWS KURTH LLP  
111 Congress Avenue, Suite 1700  
Austin, Texas 78701  
[phillipoldham@andrewskurth.com](mailto:phillipoldham@andrewskurth.com)

Tammy Cooper  
ANDREWS KURTH LLP  
111 Congress Avenue, Suite 1700  
Austin, Texas 78701  
[tammycooper@andrewskurth.com](mailto:tammycooper@andrewskurth.com)

**IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:**

A. The Rule 116 Motion for Leave to Appear *Pro Hac Vice* of Phillip Oldham and Tammy Cooper as attorneys for Occidental Chemical Corporation is granted. These attorneys will be added to the service list as attorneys appearing on behalf of the Occidental Chemical Corporation using the contact information listed above.

B. Parties have 15 days, plus three days if service of this Order is by mail, from the date of service of this Order in which to petition the Commission for reconsideration. K.S.A. 66-118b; K.S.A. 2011 Supp. 77-529(a)(1).

C. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further order or orders as it may deem necessary.

**BY THE COMMISSION IT IS SO ORDERED.**

Dated:           **MAY 07 2012**          



**ORDER MAILED MAY 07 2012**

Patrice Petersen-Klein  
Executive Director

AF

PLEASE FORWARD THE ATTACHED DOCUMENT (S) ISSUED IN THE ABOVE-REFERENCED DOCKET TO THE FOLLOWING:

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
TAMMY COOPER ANDREWS KURTH L.L.P. 111 CONGRESS AVENUE SUITE 1700 AUSTIN, TX 78701		
PHILLIP OLDHAM ANDREWS KURTH L.L.P. 111 CONGRESS AVENUE SUITE 1700 AUSTIN, TX 78701		
HOLLY FISHER, ATTORNEY KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604-4027 <b>***Hand Delivered***</b>		
ANDREW FRENCH, ADVISORY COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604-4027 <b>***Hand Delivered***</b>		
MIKE LENNEN, VP REGULATORY KANSAS GAS & ELECTRIC CO. D/B/A WESTAR ENERGY 818 S KANSAS AVE PO BOX 889 TOPEKA, KS 66601-0889		
TERESA J. JAMES, ATTORNEY MARTIN, PRINGLE, OLIVER, WALLACE & BAUER, LLP 6900 COLLEGE BLVD STE 700 OVERLAND PARK, KS 66211-1842		
STANFORD J. SMITH, JR., ATTORNEY MARTIN, PRINGLE, OLIVER, WALLACE & BAUER, LLP 100 NORTH BROADWAY SUITE 500 WICHITA, KS 67202		

ORDER MAILED MAY 07 2012

The Docket Room hereby certified that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, it caused a true and correct copy of the attached ORDER to be deposited in the United States Mail, postage prepaid, and addressed to the above persons.

IN RE: DOCKET NO. 12-WSEE-652-TAR

DATE MAY 07 2012

PLEASE FORWARD THE ATTACHED DOCUMENT (S) ISSUED IN THE ABOVE-REFERENCED DOCKET TO THE FOLLOWING:

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
MICHAEL B. HEIM, SR. REGULATORY ANALYST WESTAR ENERGY, INC. 818 S KANSAS AVENUE PO BOX 889 TOPEKA, KS 66601-0889		

ORDER MAILED MAY 07 2012

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